

**North Carolina Wireless 911 Board  
MINUTES  
January 26, 2007**

**Members Present**

Wayne Bowers (NCLM)  
Robert Cherry (Tarboro Police Chief)  
Dave Corn (Yadkin Valley Telephone)  
Bill Craigle (Alltel)  
Betty Dobson (NCNENA)  
David Dodd (NCAPCO)  
Anand Gandhi (VZW)  
Trey Greene (Cingular)  
Slayton Stewart (Carolina West Wireless)  
Steve Stoneman (ITS)

**Members Absent**

George Bakolia (NC CIO)  
Christi Derreberry (Sprint/Nextel)  
Joe Durham (NCACC)

**Staff Present**

Ron Adams (ITS)  
Richard Bradford (DOJ)  
Valerie Carter (ITS)  
Richard Taylor (ITS)

**Staff Absent**

**Guest**

David Barnes (Poyner & Spruill LLP)  
Walt Fuller (Raleigh-Wake 911)  
Barry Furey (Raleigh-Wake 911)  
Belinda Gurkins (Embarq)  
William Hightower (BellSouth)  
Karlyn O'Shaughnessy (NCGA FRD)  
Greg Roark (Carolina West Wireless)  
Rebecca Troutman (NCACC)  
Susan Waddell (NCAPCO/Gaston Co)

**Chair's Welcoming Remarks:**

Chairman Stoneman welcomed everyone and called the meeting to order at 10:00.

**Ethics Awareness/Conflict of Interest Statement:**

Chairman Stoneman read the Conflict Of Interest Statement and asked if anyone wished to note any potential conflicts. Slayton Stewart stated he would abstain from voting on agenda item five since it concerned his company. Richard Taylor reminded

him that although he must abstain from voting, he was encouraged to participate in any discussion prior to a vote.

### **Approval of minutes**

Chairman Stoneman asked if anyone wished to make changes or additions to the minutes of the December 1, 2006 Wireless Board meeting. Robert Cherry moved that the minutes be accepted as presented, Wayne Bowers seconded, and the motion carried.

### **Follow Up to Refund Requests**

Draft letters written per Board instructions at the December 1, 2006 meeting to Cingular (by Richard Bradford) and to Virgin Mobile (by Richard Taylor) requesting further information regarding their refund requests were presented. Richard Bradford said that barring any changes the Board thought necessary they would be mailed by Monday, January 29, 2007. Wayne Bowers observed that the reference in the letters to the last time the Wireless Board met would have to be updated, and Mr. Bradford advised he would do that.

### **Cost Recovery Request—Carolina West Wireless**

Chairman Stoneman recognized Greg Roark from Carolina West Wireless, who provided a brief PowerPoint presentation explaining a special request for cost recovery from Carolina West Wireless. In 2005 the company received an extension of the deadline for meeting the requirement from the FCC that all wireless providers utilizing a handset based Phase II solution must achieve 95% penetration of Phase II capable phone handsets. The extension allowed Carolina West an additional year, until December 31, 2006, to meet that requirement. The company was unsuccessful in motivating its customers to voluntarily upgrade their old analog and TDMA handsets, but did not want to ask for an additional extension from the FCC. The solution they arrived at was to provide, at no cost to the customer, Phase II capable handsets to those customers who would not willingly upgrade. This was the only way they felt they could meet the FCC requirement and deadline. Greg added that despite marketing initiatives such as SMS messages sent to customers or voice messages left on customers' voice mail asking them to come get their free phone, on many occasions Carolina West employees had to deliver the phone in person in order to get the customer to accept one.

Carolina West looked for the most affordable handset they could find for the giveaway, ultimately settling on a \$78.00 handset. Whenever possible, they provided that handset, but at times provided more expensive handsets. The total number of handsets given away during calendar 2006 was 3,135, a combination of both the \$78.00 handsets and the more expensive ones. Mr. Roark said that they are only seeking reimbursement at \$78.00 per handset, regardless of whether or not the actual phone provided was more expensive. Carolina West's request to the Board today is to allow them to file for cost recovery for the expense they incurred in meeting the FCC requirement by providing free phones, approximately \$244K.

When Chairman Stoneman opened the floor to discussion, David Corn stated that due to a relationship with Carolina West he, too, would abstain from voting should a vote be necessary. Chairman Stoneman asked Richard Taylor to explain how other carriers are reimbursed for the expense of adding a GPS chip to their phones. Mr. Taylor began by noting that this is an FCC requirement that all carriers using handset solutions must meet. He observed that while this problem is not unique to Carolina West Wireless, it is greatly compounded by their being a Tier III rural carrier with a small customer base. He added that since that customer base is rural, many of those customers do not want to give up the enhanced connectivity of their old three watt phones to receive a quarter watt phone that doesn't have the same punch.

Regarding how other carriers are reimbursed for the expense of the GPS chips used in their phones, Mr. Taylor said they are reimbursed for the difference in cost of a GPS enabled phone versus the same model without a GPS chip. Typically those cost differentials range from \$3.00 to \$7.00 per handset. Mr. Taylor added that this is the first time a carrier has come to staff requesting cost recovery for the distribution of free phones to meet an FCC requirement, and that since the request does not fall within the cost recovery guidelines staff has used in the past, he asked Mr. Roark to present his case to the full Board.

Robert Cherry said he was not comfortable paying for a phone just because a customer refused to purchase one, especially when most carriers provide a free phone whenever a customer signs a two year service contract. Mr. Roark assured Chief Cherry that the giveaway was not the preferred solution for them, either, and was well outside of their business model, but that due to the pressure of the FCC deadline they felt it was their only option. Chief Cherry said that if the customers knew their analog phones were not going to work on a future digital network, they would have had no choice but to upgrade, and that some of that responsibility should rest on them. Mr. Roark acceded that point, but noted that as Carolina West was seeking additional licenses from the FCC and felt that missing this deadline could compromise the awarding of those licenses, they felt they couldn't wait until the customers' phones were no longer functional.

Chairman Stoneman asked Mr. Roark if any of the contracts for those customers who received the free phones were changed in any way, and Greg said they were not. He added that not only were they kept in force, but they were also frequently below current market rate plans. He cited rate plans as low as \$10.00 to \$15.00 per month that Carolina West has continued to honor, despite the increased costs of new plans. Chief Cherry asked if Greg was saying that none of these customers signed any kind of contract. Greg's reply was, "The customers that would have signed a contract were the ones that would have went for the 'above the \$78.00' phones; the \$78.00 phones, no."

Wayne Bowers asked if this money would come from the customers, through the payment of the fee, and Richard Taylor said it would come from Carolina West's CMRS portion of the wireless fund. Mr. Bowers asked where Carolina West Wireless stands in terms of cost recovery from the fund, and Mr. Taylor replied that staff is holding two invoices awaiting enough revenue to come into their cost recovery fund to offset the expenses. Mr. Bowers asked when they would have enough of a fund balance to receive this cost recovery if granted, and Mr. Taylor said that under current guidelines it would be a very long time before their balance would be sufficient to pay this request.

Mr. Bowers asked Mr. Roark if the intent would be to receive this money over a period of time, and Greg said that the intent is to file for the cost recovery, which then wouldn't be paid until enough money was paid into the fund to cover the request.

Chairman Stoneman asked how other small carriers have dealt with this issue, and Richard Taylor said staff has never encountered this situation before and he could not offer an answer to that question at this time. Chairman Stoneman asked if any other carriers had filed for extensions with the FCC, and Mr. Taylor replied that most carriers had done that, and also that "a couple" had been fined for not meeting the deadline. Chairman Stoneman said that he is concerned with the precedent this will set for other small carriers, and he wants to be sure that whatever conclusion the Board comes to will be applicable to all such carriers. With that in mind, he expressed a desire to get more information from carriers similar to Carolina West about how they have approached this issue before voting on Carolina West's request.

Richard Bradford said that in discussions among staff he had indicated that he does not support the request for the full cost of the phones, and that he still doesn't. He said he would like to go back and take a closer look at the Tier III FCC orders that relate to these small carriers, and the compliance issue, and perhaps, with Carolina West's permission, he would like to consult with their counsel as well. He added that the FCC has made a distinction between large and small carriers in some of its orders, so he thinks that following that lead and going back and reviewing some of the FCC orders would be helpful to the Board.

Chairman Stoneman proposed that Richard Bradford do that research, see where all of the similar carriers are, and then come back to the Board at the next Board meeting with a recommendation on how the Board can apply its decision consistently among all carriers. He asked Greg Roark if he had any further questions, and when Greg said that he did not, Chairman Stoneman thanked him for his presentation.

### **Report from the Legislative Subcommittee**

1) Chairman Stoneman asked Bill Craige to report on the Legislative Subcommittee meeting. Bill said five items were covered, the first being adding point of sale collection of 911 fees as an option for prepaid providers. The Board had agreed to consider TracFone's proposed legislation for point of sale collection in its settlement with TracFone. Bill said several ideas were discussed, and the committee felt that the current language should remain until a better solution could be determined. After continued discussion with the representatives from TracFone, the recommendation is to refer the matter to the Joint Legislative Utility Review Committee for further study.

Chairman Stoneman asked what that Review Committee would do, exactly. Richard Taylor said they are already working on several other issues, and they could add this to list of things they are studying since they are looking at funding sources as part of that. He reminded everyone how complex an issue this is, noting that Richard Bradford has examined how this issue is being addressed in many other States and has found nothing that solves all the problems. Chairman Stoneman said that was exactly his point: we need to make sure that the Review Committee understands all the complexities of the issue so that they don't jump to a conclusion without understanding

all of its ramifications. Mr. Taylor assured Chairman Stoneman he would pass along all of that information to them.

Trey Greene asked if anyone has contacted the retailers' lobby to determine if they are willing to do point of sale collection; are they capable of remitting that to the 911 Fund? Richard Taylor replied that we have not. Trey said he would like to know what their opinion is, because he doesn't believe they are capable. Chairman Stoneman asked Richard Bradford if this is one of the issues we don't know the answer to because no other State has done this. Mr. Bradford replied that several States have point of sale as an option in their statutes, but as to how effective it is, he doesn't know.

Wayne Bowers asked if TracFone is subject to the general sales tax when it sells a phone through Wal Mart or another similar store. Richard Bradford replied yes, and Mr. Bowers observed that then they would have to program something on top of the sales tax to collect the fee. Mr. Bradford said yes, adding that the sales tax administration arguably works very well, so that process is well understood, at least. He added that TracFone also sells directly to consumers via the Internet. Wayne asked if they collect sales tax on that, and Richard Bradford replied that he doubted it, but didn't really know. Chairman Stoneman observed that would be another issue, how they would collect the fee from an Internet sale. Bill Craigle added that a purchase of prepaid minutes could last up to 90 or 120 days or more, so a collection of 1% per purchase may not be equivalent to seventy cents per month.

David Barnes, from the law firm Poyner & Spruill, LLP, which represents TracFone, asked to address the Board. Chairman Stoneman yielded the floor, and Mr. Barnes expressed appreciation to the Board for "taking this up", noting that he had participated in the Legislative Subcommittee teleconference. He said he wanted to emphasize that while some carriers are comfortable with the two options presently available to prepaid providers, TracFone maintains that those options do not work for them or for companies situated similarly to them. They feel that point of sale works better for them and others. Mr. Barnes acknowledged that it is a complex issue, and that a change that might seem to solve one problem may cause others. He added that they are very much in favor of having some sort of legislative review of the issue, whether the Joint Legislative Utility Review Committee or another Legislative entity. Mr. Barnes said their opinion is that if the General Assembly doesn't resolve the issue this session, then "you're still going to have a problem." He said they would like to have it resolved this session so that they don't have to come back or still have to have "litigation or other things like that." He said they want to work with the Board to solve the problem, and that he knows Richard Bradford has spent a great deal of time researching legislation from across the country to try to find a solution. Mr. Barnes added that he has seen some of that documentation himself, saying that "there are a number of different ways that people have tried to do it."

Chairman Stoneman reiterated that the Board has been working very hard to try to find a solution, and the issue remains that nothing they have found has worked. He stressed that the Board is open to suggestions on how to fix this, but that it is not as simple as saying "let's collect it at the point of sale." Chairman Stoneman then asked for a motion to move on with this recommendation. Wayne Bowers so moved, David Corn seconded,

and the motion carried. Chairman Stoneman then asked Bill Craigle to speak to the second Legislative Subcommittee topic.

**2)** The second topic centered on the current statute not allowing CMRS providers to receive reimbursement above the amount the carrier has paid into the fund, yet the CMRS fund balance continues to increase due to some carriers electing not to seek reimbursement. Bill said there is a twofold problem: how to spend down the current balance and how to prevent it from continuing to grow. One suggestion from the subcommittee is to establish a grant fund to assist CMRS providers whose expenses for providing wireless E911 exceed their surcharge revenues. Another suggestion is to allow CMRS providers to opt-out of cost recovery, allowing them to collect and remit only that amount of the surcharge equivalent to the 47% used for PSAPs and the 1% used for administrative purposes, or approximately thirty-four cents rather than the full seventy cents.

Chairman Stoneman commented that the CMRS fund has, indeed, grown to a large amount, and said that he understood the idea of allowing providers to opt out in an effort to stem that growth, but asked for clarification about the grant proposal. Richard Taylor explained that the grant fund would be made available to CMRS providers like Carolina West, whose expenses exceed the amount they have contributed to the fund. Chairman Stoneman asked Richard Bradford if that would require legislative change, and Mr. Bradford replied that it would, and that it would also require identification of the source of the fund. Richard Taylor said that we haven't drilled down into all the details yet, but that's the concept. He added that a potential problem is that "Carrier A", who has contributed considerable money to the fund but has elected not to seek cost recovery, may not be comfortable with allowing its fund to subsidize "Carrier B". He cautioned that if we do not find a way to use that money, however, the fund may well be tapped again by the Governor or the legislature to balance the budget.

David Corn reasoned that the money is being paid by the consumer with the expectation of having access to wireless E911 in North Carolina; it is not the carrier's money. He asked if there is any legal reason it cannot be used by any entity, whether PSAP or CMRS provider, in the furtherance of meeting that expectation. Richard Bradford said yes, there is a legal reason, and it is that the present construction of the statute divides the fund. He said the Board has the authority to make certain adjustments in the fund periodically, in terms of the division of the funds between PSAPs and providers, but that is only periodically. So there are impediments to saying, "There are "x" number of dollars in the fund and we see a need to use it so let's do that"; a Board needs more authority than just recognizing a need. Mr. Bradford said a couple of States have tried to establish some kind of matching grant or revolving grant fund to target areas that need to be enhanced or need to be improved where there is apparently not sufficient local revenue to do so. That was something this Board considered a couple of years ago when it was debating changes in the statute, and it turned out to be a rather complicated, difficult situation to deal with.

Chairman Stoneman asked Richard Bradford what latitude the Board has to make such a decision without legislative changes, and Richard replied he believes the Board does not have the authority. Richard Taylor said that the subcommittee did consider including PSAPs in such a grant process, but that it determined that since the money is on the

CMRS side, and since some CMRS providers are struggling under the current system, they should receive priority. Chairman Stoneman asked if the grant fund would be limited to what's in the fund today, and Mr. Taylor said yes, what's on the carriers' side of the fund. Wayne Bowers asked who gets the interest, and Richard Taylor said it is all credited back to the carrier's account. Wayne asked if that was a legal requirement, and Valerie Carter replied it was accepted accounting practice. Mr. Bowers asked if it could potentially be directed into a grant fund, and Richard Taylor said that could be an option.

Chairman Stoneman suggested that Richard Bradford draft some language before the next Board meeting, and try to make it available to Board members a month in advance of that meeting. David Corn said that he doesn't agree with offering an opt-out clause, reasoning that if we're going to seek legislative changes why not seek changes that allow the Board more flexibility in addressing outstanding needs. He asked why certain carriers were not asking for the reimbursement they were entitled to, and Richard Taylor said it was because they wanted to be able to use the location determination technology they implement for commercial purposes, and they did not feel it was right to use public money to do that. Richard reiterated that there is plenty of need, both on the commercial and public side, which is why the subcommittee embraced the grant concept.

David Corn said he thought there would be no incentive for carriers to do anything but opt out, as they would still be charging the customer seventy cents but only paying the PSAP and Administrative amount and pocketing the difference. Richard Bradford explained that they would not charge the full seventy cents if they opted out; they would only bill the customer for the PSAP and Administrative portion, remit that to the Board, and never put anything in their cost recovery fund. Chairman Stoneman said that if opt-out legislation were passed, then the providers who chose to opt out would only collect the thirty-four cents from their customers, not the seventy cents. It would be up to them to explain the difference to their customers.

Chairman Stoneman summarized that Richard Bradford will draft opt-out language to be circulated to the Board a month before the next meeting. He stressed that the reason he wants it thirty days in advance is to give Board members the time to socialize it with their companies so they can come back with comments for Mr. Bradford. Chairman Stoneman added that if the comments come back in time, they, too, could be circulated ahead of the next meeting.

Turning to the grant fund question, Chairman Stoneman asked if the Board wished to have Richard Bradford draft language for that as well. David Corn asked what the rationale is behind that, and Chairman Stoneman said to have it go to PSAP use or carrier use instead of the State budget. Wayne Bowers observed that inherent to that, we're taking money from somebody's account, so there would have to be some sort of acknowledgement or notice that although they're not drawing the money down now, they may have thoughts to do it in the future and we're saying we're taking that money and granting it to somebody else. Richard Taylor said that we would have to send a letter to each of the carriers both to find out whether or not they wish to seek cost recovery and to notify them of the proposal to use the existing balance for grant purposes. Chairman Stoneman also observed that language would also need to have a

provision for only allowing a certain percentage of the fund balance to be used for the grants so that there would always be a reserve.

David Corn asked if there is currently any deadline by which carriers must submit their reimbursement requests, i.e. within a specific amount of time from which the expenses occurred. When told there was not, he asked if that might not be a good idea, as it could “free up” fund balance money that lingered too long without being used. He suggested that money could then be used for grants. Chairman Stoneman asked Richard Bradford if that could be included in the draft, and Richard replied there is a more complicated issue that will have to be worked out, but that he will consider it. Chairman Stoneman asked Mr. Bradford to work on language for both the opt-out and grant proposals, and moved on to the next topic.

**3)** The third topic discussed by the Legislative Subcommittee was the consideration of eliminating the concept of shared resource allocation by allowing money from the wireless fund to be used to pay for up to 100% of any legitimate 911 shared resource expense. Chairman Stoneman asked Richard Bradford if the Board has the flexibility to authorize such a decision without legislation. Mr. Bradford replied that he thought so, in some instances. Chairman Stoneman asked Richard Taylor to explain the shared resource concept for new Board members, which he did. Mr. Taylor also illustrated the problem faced by many PSAPs regarding their inability to provide the matching portion of a shared resource expense, whether from their wireline 911 surcharge or their general fund. In such a situation, improvements to the system get postponed while the wireless fund balance for the PSAP grows. He added that further compounding the problem at this time is the introduction of VoIP calls into the mix. Calculating a shared resource allocator based upon only wireline and wireless can produce skewed numbers because of the VoIP unknown.

Chairman Stoneman asked what the impact of such a change would be; would there be a flood of requests to spend wireless money? Richard Taylor said he couldn't predict whether that would happen or not. Chairman Stoneman asked if this problem could be addressed in the grant proposal discussed earlier, so the Board could address requests on a case by case basis, or would the volume be unmanageable. Mr. Taylor said he thought the grant fund, due to its limited size, would not be adequate. Chairman Stoneman observed the costs would frequently be recurring costs, too, and Mr. Taylor agreed.

Chairman Stoneman expressed concern about the financial effect of allowing up to 100% of shared resource expenses to be paid from a PSAP's wireless fund, and Richard Taylor said he thought it would help reduce large PSAP wireless fund balances that always raise questions from the legislature. Chairman Stoneman indicated that he felt the Board needed more information about how PSAPs would respond, and Mr. Taylor said that he thought acquiring that information would be very difficult. Each PSAP would have to be contacted individually, which would be very time consuming.

Ron Adams asked if this change only applied to shared resource expenses, not purely wireline or purely wireless expenses. Richard Taylor replied that the Board could approach the issue however it wanted to, but he wanted to see the distinction go away completely. Both funds would be combined and any 911 expense, whether formerly a



shared resource expense or not, would be paid for. Chairman Stoneman observed then the shared resource allocator would be done away with, and Richard said yes. Chairman Stoneman then suggested tabling discussion until the shared resource allocator agenda item came up, as the Board could then opt to accept a new allocator or eliminate it entirely. Richard Bradford said that elimination was not an option based on policies and procedures currently in effect; a new allocator could be accepted or rejected at this meeting, but it could not be done away with.

Chairman Stoneman asked if there was any further discussion, and David Dodd stated that he felt such a change would be very well received in the PSAP community. Chairman Stoneman then instructed Richard Bradford to compose draft language addressing the question before the next meeting.

**4)** Recognizing that no mechanism currently exists for VoIP providers to remit E-911 surcharges, and that VoIP providers wish to pay a flat rate to a single entity, the Subcommittee recommended that staff conduct further study and develop a model for VoIP surcharge collection. David Corn asked if we have the authority, since VoIP is governed by the FCC and this is a State board. Richard Bradford replied that we're waiting to see what the FCC does, and that when the FCC decides "who they are and what they are", then this board will be in a better position to answer the question. He added that until then, he thinks all we can do is monitor it and be prepared.

Chairman Stoneman asked if that meant there was really nothing we can do until the FCC makes a move, and Richard Bradford replied yes. For the benefit of new Board members, he reviewed the December 2005 letter from Vonage to the Governor regarding its willingness to connect to one selective router to route all calls in the State and pay the fee, noting that it never went anywhere.

Richard Taylor said he would like to go ahead with further study because he knows that other States are collecting statutorily a fee from VoIP providers. He said that if we could find a model that has worked in other States, maybe we could adopt that same type of model. Chairman Stoneman suggested we keep the scope around that, then; reviewing what other States are doing, trying to see a best practice, then reporting those findings back to the Board.

**5)** In the past several Federal agencies have asked if they are required to pay the surcharge, and this Board has told them yes. Board Counsel believes, however, that if they were to press the issue, the Federal Government would rule that the fee is a tax, and that Federal agencies are exempt from paying the fee. The Subcommittee recommendation is to recognize that and proactively draft language exempting Federal agencies from the surcharge. David Corn questioned why they shouldn't have to pay for 911 service when they are receiving it. Richard Bradford simply stated that there is legal precedent that they do not. Richard Taylor offered that two military bases are considering forming their own PSAPs, and that while they would like to receive 911 money, their accounting is set up so that all income goes to a general fund, and could not be kept separate and audited as 62A requires.

Chairman Stoneman said that the issue he has, as David Corn had mentioned, is why they consider it a tax when it is a fee for service they are receiving. Richard Bradford

replied that while he appreciates that perspective, it is because they are a Sovereign Government, and the State government does not have the authority to impose any taxes or fees on the Federal government. Richard added that the only reason this was brought up was to consider modifying the legislation in an effort to be prepared when this question inevitably arises again. He added that no action is necessary.

Wayne Bowers asked if we were to move ahead with this and agencies that have been paying asked for refunds, would we be liable for them. Richard Bradford said we would. Chairman Stoneman said the problem is that when the Federal agencies don't pay, the phone companies are still expected to. Richard Taylor noted that Alltel has mentioned the problem to him, and the accounting problems that accompany it. Richard Bradford said the same is true for Verizon. Bill Craigle said he had sent the question to local counsel at Alltel, and they had come back with exactly the same recommendation as was being proposed at this meeting.

David Corn asked if the Board does anything when carriers are unable to collect from Federal agencies. Richard Bradford replied that the Board has the ability to sue for payment from the subscribers, but the carriers do not. The carriers are required to collect from every subscriber, but only insofar as the subscriber is willing to pay. If subscribers elect not to pay, the carrier is not expected to force them to.

Chairman Stoneman said he wants to get a better understanding of how widespread the problem is before the Board decides upon a recommendation. He asked if the carriers would share that information with the Board, and Richard Taylor said he would have to defer to the carriers regarding their willingness to disclose proprietary financial information. Chairman Stoneman said he is interested only in how much of a problem these interactions with the Federal government are, and once we see those numbers, predicting how much of a problem potential refund requests might present. Richard Taylor said he would query the carriers. Bill Craigle asked if that would be a query about all Federal government agency interactions, or only those agencies that are currently not paying. Chairman Stoneman said that both would be useful.

### **Approval of Carolina Personal Communications Cost Recovery Plan**

Richard Taylor explained that CPC formerly operated under Cingular's umbrella. Such is no longer the case, so they are submitting a cost recovery plan under which they can be directly reimbursed. They have met all the requirements of this Board's policies and procedures regarding cost recovery, and the staff recommendation is to accept their plan. Robert Cherry moved that the Board accept the staff recommendation, David Corn seconded, and the motion carried.

### **Update on Comprehensive Statewide Wireless 911 RFP**

Richard Taylor said that Procurement had required him to complete additional forms since the last meeting due to the scope and cost of the proposed RFP. He has submitted those additional forms, and has been told he needs to make one more correction. He hopes to have that completed early next week so that it will be ready for what they call their "first gate" approval process. He hopes to see the RFP hit the street in the very near future.

### **Approval of Share Resource ratio for FY 2007-2008**

Richard Taylor shared the E-911 usage numbers for 2006 from Embark and BellSouth, noting that Verizon (wireline) still claims it cannot provide them. He explained the calculations he made based upon those numbers, and the consideration of the missing numbers from Verizon, and recommended that the shared resource allocator for FY 2007-2008 be 55%. Wayne Bowers moved that the Board accept the staff recommendation, Betty Dobson seconded, and the motion carried.

### **Approval of Primary PSAP, Oak Island Police Department**

Richard Taylor explained that Oak Island Police Department was formerly a Primary PSAP, but had relinquished that status after changes in department staffing. With the arrival of a new Police Chief, they now want to regain that status. To do so, they must go through the entire application process again. They have completed all the paperwork except for an affidavit from BellSouth acknowledging their capability, and Richard expects that to be forthcoming soon. Staff recommendation is to approve the application pending receipt of the necessary paperwork from BellSouth. David Dodd moved that the Board accept the staff recommendation, Slayton Stewart seconded, and the motion carried.

### **Field Reports**

Richard Taylor reported that he has been working with Fiscal on the audits as well as interviewing for Leslie Tripp's replacement. He hopes to have that position filled soon. Ron Adams reported nothing out of the ordinary.

### **Status of Phase I / Phase II Wireless 911 in North Carolina**

Ron Adams reported that deployment progress was proceeding routinely, with nothing extraordinary to report. He observed that only nine PSAPs have not yet requested Phase II service for the reasons listed in the spreadsheet.

### **Administrative Reports**

Valerie Carter reported on the November and December PSAP distributions, the current fund balance, and its growth since the last meeting.

### **Presentation by Barry Furey, Raleigh/Wake 911 Director**

Barry Furey introduced himself to the Board, sharing a little about his experiences in 911 and his long affiliation with both NENA and APCO. He also introduced Raleigh/Wake 911, relating its capabilities and responsibilities. He summarized its activity during 2006, looking at call types and volumes, and projecting anticipated growth. He discussed regional trends in PSAPs, including employee turnover statistics. He noted that it takes about a year to completely train a new telecommunicator, adding that they weed out about 90% of applicants during that process. He observed that the pace of technology demands constant training/retraining of telecommunicators, as well

as equipment and software upgrades. He said that the removal of shared resource percentages in the use of surcharge money would facilitate accomplishing these goals.

Mr. Furey noted that call numbers do not tell the whole story. He said that new Community Policing initiatives are requiring telecommunicators to make decisions that used to be handled by Sergeants and Officers on the beat. Telecommunicators are also diagnosing medical needs and providing responses in sixty seconds without ever seeing the patient. He added that non-English speaking populations present another challenge. Though they may not seem statistically significant when considered in the context of total call volume, they are definitely numerically significant, and interpretation services are costly.

Barry said that the availability of cell phones and their ability to call 911 is a mixed blessing. While more readily available access is great, the volume of wireless 911 calls that typically relate to the same incident is staggering and presents huge challenges to the PSAPs that must answer every call. He observed that is one aspect of wireless 911 that is hard to quantify and does not factor into current deliberations about shared resource allocation. Another is that although Phase II information is usually very reliable now, it still takes additional time for a telecommunicator to re-bid a call to get the most accurate information or to query the caller for details that provide wireline equivalent accuracy. He said that if only 20 seconds were added to every wireless 911 call received at Raleigh/Wake in 2006, it would add up to over 13,000 man hours, or six full-time employees just to handle that extra dimension. That, too, does not get factored into equipment purchases or recurring service charges.

Barry spoke briefly about the future of 911, or Next Generation 911, including the anticipated growth of VoIP service as well as new methods of contacting 911. He cited how helpful the ability to send camera phone photos with a 911 call would be; how much more useful a photo would be than just a verbal description like "a white male in a dark coat". He also cited how many people now carry devices that can connect to the internet, and how they expect to be able to contact 911 using that medium. Yet a third benefit would be communicating with text messages, and how that could open up new avenues of connectivity for the deaf and hard of hearing community. Another possible development would be direct delivery of automatic collision notification information to the PSAP rather than to an OnStar or ATX call center, leaving those centers to handle only concierge services.

Barry feels the need for a transparent statewide network where PSAPs can freely transfer calls to other PSAPs is critical. In fact, interstate communication transparency is just as important, especially in border areas where PSAPs frequently interact with PSAPs in the State next door. He stressed the need for Public/Private partnerships to move forward with all these issues to ensure that the public gets the best service possible. He thanked the Board for the opportunity to speak, and invited all to tour the center.

Chairman Stoneman responded to some of Barry's points by suggesting that if he could document and quantify some of the additional demands placed on his telecommunicators by wireless 911 calls, perhaps the Board could develop a weight to apply to the calculation of shared resource allocation. He also suggested that if Barry

could identify some training issues that might be addressed by the Board's training program, please bring them to the Board's attention. He thanked Barry for the presentation, saying it was a "real eye opener."

Richard Taylor suggested Board members take the PSAP tour before eating lunch, recognizing that some were probably on tight timetables. Everybody agreed with that. Robert Cherry moved to adjourn the meeting, David Corn seconded, and the meeting was adjourned.